

Remarks/Arguments:

Preliminary Matters

Claims 42-82 are presently pending in the above-identified application. Claims 68-82 were withdrawn from consideration. By this amendment, claims 42 and 63 are amended and claim 83 is newly added. Reconsideration of claims 42-67 and examination of claim 83 is respectfully requested in view of the above amendment and following remarks.

Claim Rejection Under 35 U.S.C. 102(e)

Section three of the Office Action recites that "Claims 42, 47-49, 52-53, 55, 57-58 and 63 are rejected under 35 U.S.C. §102 (e) as being anticipated by Tognazzini, US 6,295,482 B1." Applicant traverses the rejection of these claims and respectfully submits that these claims are allowable over Tognazzini for at least the reasons set forth below.

Independent claim 42 is directed to a wireless system for communicating cashless vending transaction data and vending machine audit data to remote locations and includes at least one feature that is neither disclosed nor suggested by Tognazzini. The features of claim 42 include:

- a vending machine controller interconnected with a vending machine, said vending machine controller comprising a plurality of peripheral device interfaces;

- a vending interface unit (VIU) interconnected with at least one of said plurality of peripheral device interfaces, said VIU effectuates cashless vending transactions and obtains vending machine audit data from said vending machine controller, said VIU comprising a first transceiver; and

- a base unit remote to the vending machine, said base unit comprising a second transceiver configured for wireless communication with said first transceiver, said base unit further comprising a communication interface for communicating with a remote location remote to the vending machine and the base unit, said base unit communicating data received from the vending machine to the remote location and communicating data received from the remote location to the vending machine.

This means that, in an exemplary embodiment, a vending interface unit (VIU) is interconnected with at least one peripheral device interface that is interconnected with a vending machine controller. The vending machine controller is interconnected with the vending machine. The VIU has a transceiver that wirelessly communicates with a transceiver of a base unit. The base

unit has a communication interface that communicates data received from the vending machine to a remote location and also communicates data received from the remote location to the vending machine. (See FIGs. 4 and 7; page 24, lines 9-20 and page 71, lines 15-27, for example.)

Tognazzini is directed to an electronic newspaper vending machine. Tognazzini does not disclose, teach, or suggest, that "said base unit communicat[es] data received from the vending machine to the remote location and communicat[es] data received from the remote location to the vending machine." Instead, as shown in FIGs. 1A-2B and described in column 1, line 60 - column 2, line 25; and column 5, line 49 - column 6, line 5, Tognazzini describes that the electronic reader (PDA) requests newspaper information from the vending machine and the electronic reader downloads an electronic newspaper from the vending machine. In another embodiment, the electronic reader (PDA) receives network access information from the vending machine and then connects to a network to download the electronic newspaper.

Tognazzini is silent as to "a wireless system for communicating cashless vending transaction data and vending machine audit data to remote locations," let alone, "said base unit communicat[es] data received from the vending machine to the remote location and communicat[es] data received from the remote location to the vending machine" as recited in amended claim 42. Accordingly, applicant contends that the applied reference fails to meet all the features of amended claim 42. Thus, applicant respectfully submits that claim 42 as amended is allowable and withdrawal of the rejection of claim 42 as anticipated by Tognazzini is respectfully requested.

Independent claim 63, as amended, while not identical to claim 42, includes features similar to the allowable features discussed above with respect to claim 42. Accordingly, applicant contends that independent claim 63 is also allowable over Tognazzini for at least the reasons set forth above and withdrawal of the rejection of claim 63 as anticipated over Tognazzini is respectfully requested.

Claims 47-49, 52-53, 55, and 57-58 include all the features of independent claim 42 from which they ultimately depend. Therefore, applicant contends claims 47-49, 52-53, 55, and 57-58 are also allowable for at least the reason claim 42 is allowable. Accordingly, withdrawal of the rejections of claims 47-49, 52-53, 55, and 57-58 as anticipated by Tognazzini is respectfully requested.

Claim Rejection Under 35 U.S.C. 103(a)

Section seven of the Office Action recites that "Claims 43, 50-51, 56, 59-60 and 64 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tognazzini, US 6,295,482 B1 in view of Official Notice." Applicant respectfully submits that these claims are allowable over Tognazzini in view of the Official Notice for at least the reasons set forth below.

As described above, Tognazzini fails to meet all the features of amended claims 42 and 63. Claims 43, 50-51, 56, 59-60 and 64 include all the features of the independent claims from which they ultimately depend. The Office Notice fails to make up for the deficiencies of Tognazzini with respect to independent claims 42 and 63, as amended. Therefore, applicant contends claims 43, 50-51, 56, 59-60 and 64 are also allowable for at least the reason their respective base claims are allowable. Accordingly, withdrawal of the rejections of claims 43, 50-51, 56, 59-60 and 64 as obvious over Tognazzini in view of Official Notice is respectfully requested.

Section eight of the Office Action recites that "Claims 44 and 65 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tognazzini, US 6,295,482 B1 in view of Aguayo, Jr. et al., US 6,285,856 B1." Applicant respectfully submits that these claims are allowable over Tognazzini and Aguayo for at least the reasons set forth below.

As described above, Tognazzini fails to meet all the features of independent claims 42 and 63, as amended. Aguayo is directed to a communication system which can be utilized to complement an existing cable television system. Aguayo does not disclose, teach, or suggest a wireless system and method "for data communicating cashless vending transaction data and vending machine audit data to remote locations" in which "said base unit communicat[es] data received from the vending machine to the remote location and communicat[es] data received from the remote location to the vending machine," as recited in independent claims 42 and 63. Because Aguayo and Tognazzini (either alone or in combination) fail to disclose, teach, or suggest all the features of independent claims 42 and 63, applicant contends dependent claims 44 and 65 are also allowable for at least the reason their respective base claims are allowable, and withdrawal of the rejection of claims 44 and 65 as obvious over Tognazzini and Aguayo is respectfully requested.

Section nine of the Office Action recites that "Claims 45-46 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tognazzini, US 6,295,482 B1 in view of Bensky et al., US

6,859,761 B1.” Applicant respectfully submits that these claims are allowable over Tognazzini and Bensky for at least the reasons set forth below.

As described above, Tognazzini fails to meet all the features of independent claim 42, as amended. Bensky is directed to accurate distance measurement using RF techniques. Bensky does not disclose, teach, or suggest a wireless system and method “for data communicating cashless vending transaction data and vending machine audit data to remote locations” in which “said base unit communicat[es] data received from the vending machine to the remote location and communicat[es] data received from the remote location to the vending machine” as recited in independent claim 42, as amended. Because Bensky and Tognazzini (either alone or in combination) fail to disclose, teach, or suggest all the features of independent claim 42, applicant contends dependent claims 45 and 46 are also allowable for at least the reason claim 42 is allowable, and withdrawal of the rejection of claims 45 and 46 as obvious over Tognazzini and Bensky is respectfully requested.

Section ten of the Office Action recites that “Claims 54 and 66 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tognazzini, US 6,295,482 B1 in view of Cahalan, US 4,737,967.” Applicant respectfully submits that these claims are allowable over Tognazzini and Cahalan for at least the reasons set forth below.

As described above, Tognazzini fails to meet all the features of independent claims 42 and 63, as amended. Cahalan is directed to a remote monitoring system receiver with a dual baud rate selector. Cahalan, however, does not disclose, teach, or suggest a wireless system and method “for data communicating cashless vending transaction data and vending machine audit data to remote locations” in which “said base unit communicat[es] data received from the vending machine to the remote location and communicat[es] data received from the remote location to the vending machine” as recited in independent claims 42 and 63, as amended. Because Cahalan and Tognazzini (either alone or in combination) fail to disclose, teach, or suggest all the features of independent claims 42 and 63, applicant contends dependent claims 54 and 66 are also allowable for at least the reason their respective base claims are allowable, and withdrawal of the rejection of claims 54 and 66 as obvious over Tognazzini and Cahalan is respectfully requested.

Section eleven of the Office Action recites that “Claim 61 is rejected under 35 U.S.C. §103(a) as being unpatentable over Tognazzini, US 6,295,482 B1 in view of Johnson, US

6,804,252 B1.” Applicant respectfully submits that this claim is allowable over Tognazzini and Johnson for at least the reasons set forth below.

As described above, Tognazzini fails to meet all the features of independent claim 42, as amended. Johnson is directed to an automatic reverse channel assignment in a two-way TDM communication system. Johnson does not disclose, teach, or suggest “a wireless system for data communicating cashless vending transaction data and vending machine audit data to remote locations,” let alone, “said base unit communicat[es] data received from the vending machine to the remote location and communicat[es] data received from the remote location to the vending machine,” as recited in independent claim 42. Because Johnson and Tognazzini (either alone or in combination) fail to disclose, teach, or suggest all the features of independent claim 42, applicant contends dependent claim 61 is also allowable for at least the reason amended claim 42 is allowable, and withdrawal of the rejection of claim 61 as obvious over Tognazzini and Johnson is respectfully requested.

Section twelve of the Office Action recites that “Claims 62 and 67 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tognazzini, US 6,295,482 B1.” Applicant respectfully submits that these claims are allowable over Tognazzini for at least the reasons set forth below.

As described above, Tognazzini fails to meet all the features of independent claim 42 and 63, as amended. Claims 62 and 67 include all the features of the independent claims from which they ultimately depend. Therefore, applicant contends claims 62 and 67 are also allowable for at least the reason their respective base claims are allowable. Accordingly, withdrawal of the rejections of claims 62 and 67 as obvious over Tognazzini is respectfully requested.

New Claim

Claim 83 is newly added. Claim 83 recites features similar to amended claims 42 and 63, namely, “said base unit further compris[es] a communication interface for communicating with a remote location remote to the first and second vending machines and the base unit, said base unit communicating data received from the first vending machine to the remote location, communicating data received from the second vending machine to the remote location, communicating data from the remote location to the first vending machine, and communicating data received from the remote location to the second vending machine”. Accordingly, applicant

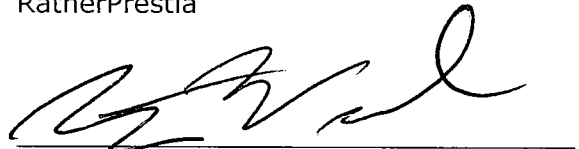
respectfully submits that newly added claim 83 is also allowable for at least the reason amended claims 42 and 63 are allowable.

Conclusion

In view of the above remarks, applicant submits that this application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

RatnerPrestia

A handwritten signature in black ink, appearing to read 'S. J. Weed', is written over a horizontal line.

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